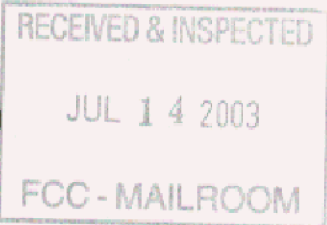


Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554



In the matter of)
Amendment of Section 73.202 (b),) MB Docket No. _____
Table of Allotments)
FM Broadcast Stations) RM- _____
(Americus, Kansas))
(Emporia, Kansas))

PETITION FOR RULEMAKING

To the Chief, Allocations Branch:

1. Dana J. Puopolo ("Petitioner") respectfully requests the Commission initiate a rulemaking proceeding for the purpose of considering amending Section 73.202(b) of the Commission's rules. In support whereof the following is stated.

2. Petitioner proposes the Commission allot FM channel 240A to Americus, Kansas as its first local service. This would require amending Section 73.202(b) of the Commission's rules as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Americus, KS	-	240A

3. Americus is an incorporated city located in central Kansas. It is located in Lyon County. In 1990, the United States Census Bureau estimated Americus had a population of 938 persons.

4. FM channel 240A can be assigned to Americus in full compliance with the Commission's minimum distance separation requirements. This is illustrated in the attached spacing study, which lists stations and assignments within 240 kilometers. Coordinates used are N 38:25:13 W 98:21:12 and are located approximately 12 km NE of Americus. This site restriction is necessary to prevent a short spacing with station KCHZ, Ottawa, KS. Petitioner is confident he can find a suitable transmitter site for this allotment if it is assigned as proposed.

5. To accommodate the use of FM channel 240A at Americus, petitioner respectfully proposes the Commission substitute FM channel 244A for vacant but reserved channel 241A at Emporia, KS. The Commission allotted channel 241A to Emporia in MB Docket 98-13 for use by station KRWV. FM channel 244A can be allotted to Emporia in full compliance with the Commission's minimum distance separation requirements at the reference coordinates for channel 241A (the KRWV transmitter site). This is illustrated by the attached spacing study. To petitioner's knowledge, KRWV is still operating on channel 258A, so substituting channel 244A for 241A should not adversely affect KRWV whatsoever. In any event, should his application for a construction permit for channel 240A at Americus be granted by the Commission, petitioner agrees to compensate KRWV for reasonable expenses necessary to move to channel 244A from 241A.

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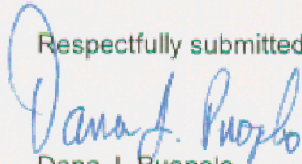
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6. Petitioner, or an entity with which he is affiliated, intends to apply for a construction permit to activate channel 240A if it is assigned to Americus as proposed. If his application is granted, he shall promptly construct and operate the proposed station.

7. Petitioner hereby verifies and affirms that the statements given in this petition for rulemaking are his, and are accurate to the best of his knowledge.

Respectfully submitted,



Dana J. Puopolo
2134 Oak St., Unit C
Santa Monica, CA 90405
July 3, 2003

240A Americus, KS

Spacing study FM channel 240A, Americus, KS
at coordinates: N 38:25:13, W 96:21:12

CHAN	FREQ	CALL	LOCATION	DIST	REQ	CLEAR	COMMENT
237A	95.3	KHCA	WAMEGO KS US	88	31	57	
237A	95.3	KHCA	WAMEGO KS US	85	31	54	
237C3	95.3	KINZ	HUMBOLDT KS US	102	42	60	
238C3	95.5	KQNS-FM	LINDSBORG KS US	120	42	78	
239C1	95.7	KCHZ	OTTAWA KS US	133	133	0	
240A	95.9	KCAY	RUSSELL KS US	225	115	110	
240C3	95.9	KSOK-FM	WINFIELD KS US	157	142	15	
240A	95.9	ALLOC	HUTCHINSON KS US	143	115	28	
240C3	95.9	KSOK-FM	WINFIELD KS US	158	142	16	
241A	96.1	ALLOC	EMPORIA KS US	10	72	-62	DELETION PROP.
241C	96.1	KLRQ	CLINTON MO US	248	165	83	
242C2	96.3	KRZZ-FM	DERBY KS US	115	55	60	
242C3	96.3	KACZ	RILEY KS US	92	42	50	
243C	96.5	KRBZ	KANSAS CITY MO US	174	95	79	DELETION PROP.
243C0	96.5	KRBZ	KANSAS CITY MO US	173	86	87	

Notes:

All distances are in kilometers
Only stations clearing by less than 115 km are shown.



244A Emporia, KS

Spacing study FM channel 244A, Emporia, KS
at coordinates: N 38:24:21, W 96:14:13 (KRWV transmitter site)

CHAN	FREQ	CALL	LOCATION		DIST	REQ	CLEAR	COMMENT
241A	96.1	ALLOC	EMPORIA	KS US	0	31	-31	DELETION PROP.
242C2	96.3	KRZZ-FM	DERBY	KS US	122	55	67	
242C3	96.3	KACZ	RILEY	KS US	97	42	55	
243C	96.5	KRAV-FM	TULSA	OK US	246	165	81	
243C	96.5	KRBZ	KANSAS CITY	MO US	165	165	0	DELETION PROP.
243C0	96.5	KRBZ	KANSAS CITY	MO US	165	152	13	
244A	96.7	KBBE	MCPHERSON	KS US	125	115	10	
244A	96.7	ALLOC	HUMBOLDT	NE US	195	115	80	
244A	96.7	PRM	HARPER	KS US	202	115	87	
245C1	96.9	KKOW-FM	PITTSBURG	KS US	174	133	41	
246C3	97.1	KSKU	HUTCHINSON	KS US	147	42	105	
246C2	97.1	KSKU	HUTCHINSON	KS US	164	55	109	
246C2	97.1	KSKU	HUTCHINSON	KS US	132	55	77	
247C1	97.3	KZPL	LEE'S SUMMIT	MO US	171	75	96	

Notes:

All distances are in kilometers.
Only stations clearing by less than 115 km are shown.